

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION STUDENT- ATHLETE CONCUSSION INJURY LITIGATION)	MDL No. 2492
)	Master Docket No. 1:13-cv-09116
)	This Document Relates to All Cases
)	
)	Judge John Z. Lee
)	
)	Magistrate Judge Geraldine Soat Brown

**DESIGNATION OF LEAD AND LIAISON COUNSEL
FOR THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION**

The National Collegiate Athletic Association (the “NCAA”) hereby moves this Court to appoint Mark S. Mester, a partner at Latham & Watkins LLP (“Latham & Watkins”), as Lead Counsel for the NCAA, and further moves this Court to appoint Johanna M. Spellman, an associate at Latham & Watkins, as Liaison Counsel for the NCAA. In support of this motion, the NCAA states as follows:

1. On September 4, 2013, class counsel in Arrington filed with the Judicial Panel on Multidistrict Litigation (“JPML”) a motion seeking transfer and consolidation of Arrington with other concussion-related actions. See Mot. for Transfer, In re NCAA Student-Athlete Concussion Injury Litig., MDL No. 2492 (JPML Dkt. #1). The motion for transfer and consolidation was granted by the JPML on December 18, 2013, and the JPML’s conditional transfer orders became final on January 2, 2014 and January 7, 2014, respectively. See Finalized Conditional Transfer Order (JPML Dkt. #59); Finalized Conditional Transfer Order (JPML Dkt. #60).

2. On February 5, 2014, this Court issued a case management order to “govern the practice and procedure” in all consolidated cases as well as in “any ‘tag-along actions’ later filed

in, removed to, or transferred to this Court.” Feb. 5, 2014 Case Management Order (Master Dkt. #15) (the “Case Management Order”) at 1.

3. The Case Management Order provided that “Plaintiffs, as a group, and Defendant each should file a designation of liaison counsel by February 24, 2014,” and that “Counsel for Defendant should advise the Court who it prefers to serve in this position.” Feb. 5, 2014 Case Management Order (Master Dkt. #15) (the “Case Management Order”) at 6-7.

4. On February 20, 2014, the Court granted Plaintiffs’ Agreed Motion for Extension of Dates (Master Dkt. #22), extending the deadline by which the parties must file such designations to and until March 26, 2014, and on April 14, 2014, the Court granted Plaintiffs’ Second Agreed Motion for Extension of Dates (Master Dkt. #29), extending the deadline by which the parties must file such designations to and until May 9, 2014. See Minute Entry (Master Dkt. #25); Minute Entry (Master Dkt. #34).

5. Pursuant to the Court’s instruction in its Case Management Order, the NCAA hereby designates Mark S. Mester as Lead Counsel for the NCAA. Mr. Mester is a Partner at Latham & Watkins and has served as counsel of record for the NCAA in Arrington since September 27, 2011. See Appearance of M. Mester (Arrington Dkt. #8). Mr. Mester has likewise served as Lead Counsel in many other class actions as well as in class cases transferred and consolidated by the JPML. See, e.g., Memorandum and Order (Dkt. #65), In re Aurora Dairy Corp. Organic Milk Mktg. and Sales Practices Litig., Case No. 4:08-md-01907-ERW (E.D. Mo. filed April 18, 2008), Ex. A hereto.

6. The NCAA further designates Johanna M. Spellman as Liaison Counsel for the NCAA. Ms. Spellman is an Associate at Latham & Watkins and has also served as counsel of

record for the NCAA since September 27, 2011. See Appearance of J. Spellman (Arrington Dkt. #9).

WHEREFORE, the NCAA respectfully requests that the Court (i) appoint Mark S. Mester as Lead Counsel for the NCAA and (ii) appoint Johanna M. Spellman as Liaison Counsel for the NCAA.

Dated: May 9, 2014

Respectfully submitted,

/s/ Mark S. Mester

One of the Attorneys for Defendant
National Collegiate Athletic Association

Mark S. Mester

mark.mester@lw.com

Johanna M. Spellman

johanna.spellman@lw.com

Katherine Walton

katherine.walton@lw.com

LATHAM & WATKINS LLP

233 South Wacker Drive, Suite 5800

Chicago, Illinois 60606

Telephone: (312) 876-7700

Facsimile: (312) 993-9767

J. Christian Word

christian.word@lw.com

LATHAM & WATKINS LLP

555 Eleventh Street, NW, Suite 1000

Washington, D.C. 20004-1304

Telephone: (202) 637-2200

Facsimile: (202) 637-2201

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CERTIFICATE OF SERVICE

I, Mark S. Mester, certify that on May 9, 2014, a true and correct copy of the Designation of Lead and Liaison Counsel for the National Collegiate Athletic Association and Certificate of Service was filed through the ECF system and served upon the following parties by prepaid first class mail:

Elizabeth Joan Cabraser
Lieff, Cabraser & Hiemann
Embarcadero Center, West
275 Battery Street, 30th Floor
San Francisco, CA 94111

Stanley Doughty
Edgar Gankendorff
Provosty & Gankendorff, LLC
Suite 2700
650 Poydras Street
New Orleans, LA 70130

Timothy J. McIlwain
Timothy J. McIlwain, Attorney at Law, LLC
#1538
89 River Street
Hoboken, NJ 07030

Date: May 9, 2014

/s/ Mark S. Mester

LATHAM & WATKINS LLP

Mark S. Mester
233 South Wacker Drive, Suite 5800
Chicago, IL 60606-6362
Telephone: (312) 876-7700
Facsimile: (312) 993-9767
E-mail: mark.mester@lw.com